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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,334	10/18/2000	Aninda Dasgupta	US 000013	5217

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BRIARCLIFF MANOR, NY 10510

EXAMINER	
TRUONG, LECHI	
ART UNIT	PAPER NUMBER
2194	

MAIL DATE	DELIVERY MODE
11/18/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/691,334	DASGUPTA, ANINDA	
	Examiner	Art Unit	
	LECHI TRUONG	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07/27/2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2, 7-8, 13-15, 20-24* is/are rejected.

7)☐ Claim(s) *3-6,9-12 and 16-19* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-24 are presented for the examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims **1, 2, 7-8, 13-14, 20-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Chaney(US 7237198 B1).

As to claim 1, APA teaches a digital audio playback device (DAPD) (digital audio playback devices (DAPD, page 1, In 9-15), a connected processing system (the PC, page 3, In 5-23 to col 1-26), executing (executed, page 3, In 20- 24), the external interface (playback device, page 3, In 5-23 to col 1-26), a user interface application program (a Ul software application, page 2, In 14-17/ a the program for controlling the connected user interface, page 3, In 20-23), a memory (memory, page 1, In 15-18), storing (download, page 4, In 1-7), a X DAPD application programming interface (API) (the libraries consists contain implementations of application programming interfaces (API), page 4, In 1-15).

APA does not teach reverse the memory stores DAPI API capable of external interface causing a processor to access and control a user interface and displayed on a monitor screen associated with said connected processing system, displayed on a monitor screen associated with said connected processing system. However, Chaney teaches reverse DAPI API capable of external interface causing a processor to access and control a user interface and displayed on a monitor screen associated with said connected processing system, displayed on a monitor screen associated with said connected processing system (The client computer 104, the music server 128, and the music renderers 126A 126N may each have any conventional general purpose single- or multi-chip microprocessor[processing system] such as a Pentium.RTM. processor, a Pentium.RTM. Pro processor, a 8051 processor, a MIPS.RTM. processor, a Power PC.RTM. processor, or an ALPHA.RTM. processor, col 3, ln 38-45 / FIG. 1, the client computer 104 comprises a network interface 140, an electronic music player 144, a music renderer controller 148[playback device], and device drivers 152A 152M. The network interface 140 communicates with a control program of the music server 128 via the network 120. As is discussed in further detail below, using the music player 144, a user can communicate with the music server 128 to download and play songs via the output device of the client computer 104. Furthermore, using the electronic music player 144, a user can organize the songs according to subject matter and also download the songs to one of the music renderers 126A 126N, col 3, ln 55-67/ Furthermore, using the electronic music player 144, a user can organize the songs according to subject matter and also download [control and access] the songs to one of the music renderers 126A 126N. As defined herein, a device driver is a software program, module, procedure, or executable, that is capable of communicating with a music renderer, the device driver being adapted to "plug-in"

and be operably connected to the music player 144, col 3, ln 65-67/ col 4, ln 1-5 / Advantageously, by providing a music renderer controller 148 that is designed to communicate with device drivers by a predefined interface, i.e., the DIAPI[reverse API], one or more new device drivers can be added at later date and can communicate with the music player 144. The interface to the music player 144 is independent on the particular characteristics of each of the music renderers 126A 126N, The DIAPI of the music renderer controller 148 gives the music renderer manufacturers flexibility to define what actions can be performed with respect to the music renderer. Furthermore, by using the DIAPI, changes in firmware of one of the music renderers 126A 126N do not necessitate changes in the electronic music player 144. If additional features are provided with respect to one the music renderers 126A 126N, a new device driver may be created to communicate with the music renderer controller 148 and thereby allow the user to take advantage of such new features without requiring a re-design of the music player, col 10, ln 11-27/ Using the screen display 400, a user may: (i) play music that resides either on the client computer 104 or one of the music renderers 126A 12, col 6, ln 50-55/ client computer has music player and music render controller[playback device] for storing the API with controls and accesses the music renders having the microprocessor [control processing] via the drivers).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modifying the teaching APA with Chaney to incorporate the feature of reverse DAPI API capable of external interface causing a processor to access and control a user interface and displayed on a monitor screen associated with said connected processing system because this provides augmented or improved content with playback of DVD content because this gives the

music renderer manufacturers flexibility to define what actions can be performed with respect to the music renderer(col 11, ln 7-18).

As to claim 2, Chaney teaches API comprises executable instruction communicates with and controls an operation of said user interface application program (col 11, ln 7-18)

As to claims 7, 13, 20, they are apparatus claim of claim 1; therefore, they are rejected for the same reason as claim 1 above.

As to claim 8, it is an apparatus claim of claim 2; therefore, it is rejected for the same reason as claim 2 above.

As to claim 14, API comprises executable instruction communication with and controlling an operation of the user interface application program (col 7, ln 5-10).

As to claim 21, it is apparatus claim of claim 14; therefore, it is rejected for the same reason as claim 14 above.

3. Claim **15 is** rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Chaney(US 7237198 B1), as applied to claim 1 above, and further in view of Smyers et al (US. Patent 5,991,520).

As to claim 15, APA and Chaney do not teach API comprises first data associated with a manufacturer of the digital audio playback device and wherein the step of executing the reverse DAPD includes using the first data to vary at least a portion of user interface. However, Smyers teaches API comprises first data associated with a manufacturer of the digital audio playback device and wherein the step of executing the reverse DAPD includes using the first data to vary

at least a portion of user interface (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9, ln 2-13/ ln 20-27), API comprises first data associated with a manufacturer of said digital audio playback device (col 2, ln 20-30).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching APA and Chaney with Smyers to incorporate the feature of comprises first data associated with a manufacturer of the digital audio playback device and wherein the step of executing the reverse DAPD includes using the first data to vary at least a portion of user interface because this allows automated generation of transactions necessary to complete a data transfer with permitting a high degree of hardware automation, if needed by the application.

4. Claim **22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior art (APA) in view of Chaney(US 7237198 B1), as applied to claim 13 above, and further in view of Messer et al (US. Patent 6,762798 B1).

As to claim 22, APA and Chaney do not teach API, which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed. However, Messer teaches API which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed (calling the first method in response to a specification of the set of parameters such that a video window is created with the

set of parameters when the video window generated at the destination position and according to the scale factor is within the capabilities of the television and the display, col 11, ln 59-64).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Chaney with Messer to incorporate the feature of API, which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed because this enables a video window to be translated as well as scaled to accommodate a variety of televisions.

5. Claims **23-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior art (APA) in view of Chaney(US 7237198 B1), as applied to claim 13 above, in view of Messer et al (US. Patent 6,762798 B1) and further in view of Smyers et al (US. Patent 5,991,520).

As to claims 23, 24, APA, Chaney and Messer do not teaches API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen, API comprises first data associated with a manufacturer of said digital audio playback device. However, Smyers teaches API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9, ln 2-13/ ln 20-27), API comprises first data associated with a manufacturer of said digital audio playback device (col 2, ln 20-30).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching APA, Chaney and Messer with Smyers to incorporate the feature of API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen because this allows automated generation of transactions necessary to complete a data transfer with permitting a high degree of hardware automation, if needed by the application.

Allowable Subject Matter

6. Claims 3-6, 9-12, 16-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to the argument:

7 . Applicant amendment filed on 07/27/2009 has been considered but they are not persuasive:

Applicant argued in substance that :

(1) "All of the control features disclosed by Chaney relate to a client computer controlling a music renderer - NOT a music renderer controlling a client computer. It is therefore clear that

Chancy does not disclose a reverse DAPD application programming interface (API) adapted to cause a processor (of the digital audio playback device) to access and control a user interface associated with a user interface application program executed on a connected processing system".

34. Examiner respectfully disagreed with Applicant's remarks:

As to the point (1), Chaney teaches the client computer 104, the music server 128, and the music renderers 126A 126N may each have any conventional general purpose single- or multi-chip microprocessor [processing system] such as a Pentium.RTM. processor, a Pentium.RTM. Pro processor, a 8051 processor, a MIPS.RTM. processor, a Power PC.RTM. processor, or an ALPHA.RTM. processor, col 3, ln 38-45 / FIG. 1, the client computer 104 comprises a network interface 140, an electronic music player 144, a music renderer controller 148[playback device], and device drivers 152A 152M. The network interface 140 communicates with a control program of the music server 128 via the network 120. As is discussed in further detail below, using the music player 144, a user can communicate with the music server 128 to download and play songs via the output device of the client computer 104. Furthermore, using the electronic music player 144, a user can organize the songs according to subject matter and also download the songs to one of the music renderers 126A 126N, col 3, ln 55-67/ Furthermore, using the electronic music player 144, a user can organize the songs according to subject matter and also download [control and access] the songs to one of the music renderers 126A 126N. As defined herein, a device driver is a software program, module, procedure, or executable, that is capable of communicating with a music renderer, the device driver being adapted to "plug-in"

and be operably connected to the music player 144, col 3, ln 65-67/ col 4, ln 1-5 / Advantageously, by providing a music renderer controller 148 that is designed to communicate with device drivers by a predefined interface, i.e., the DIAPI[reverse API], one or more new device drivers can be added at later date and can communicate with the music player 144. The interface to the music player 144 is independent on the particular characteristics of each of the music renderers 126A 126N, The DIAPI of the music renderer controller 148 gives the music renderer manufacturers flexibility to define what actions can be performed with respect to the music renderer. Furthermore, by using the DIAPI, changes in firmware of one of the music renderers 126A 126N do not necessitate changes in the electronic music player 144. If additional features are provided with respect to one the music renderers 126A 126N, a new device driver may be created to communicate with the music renderer controller 148 and thereby allow the user to take advantage of such new features without requiring a re-design of the music player, col 10, ln 11-27/ client computer has music player and music render controller [playback device] for storing the API with controls and accesses the music renders having the microprocessor [control processing] via the drivers).

35. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sough Hyung can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR of Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

/LeChi Truong/

Primary Examiner, Art Unit 2194

LeChi Truong

November 18, 2009